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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 DARYN INGRAM, et al.,

11 Plaintiffs,

12 v.

13 BRINDERSON, L.P., et al.,

14 Defendants.

CASE NO. C18-1236JLR

ORDER TO SHOW CAUSE
REGARDING DIVERSITY
JURISDICTION

15 Before the court is Defendants Brinderson, LLC, formerly known as Brinderson,
16 L.P. ("Brinderson"), Michael Nolan, and Jane Doe Nolan's (collectively, "Defendants")
17 notice of removal. (*See* Not. of Rem. (Dkt. # 1).) Plaintiffs Daryn Ingram and Tamara
18 Ingram filed state law causes of action against Defendants in the Washington State
19 Superior Court for Skagit County. (*See* Compl. (Dkt. # 1-2).) Defendants removed the
20 case to this court on August 21, 2018. (*See* Not. of Rem.) The court has reviewed the
21 complaint, the notice of removal, and Defendants' corporate disclosure statement (CDS
22 (Dkt. # 10)) and finds that Defendants have failed to provide an adequate basis for subject

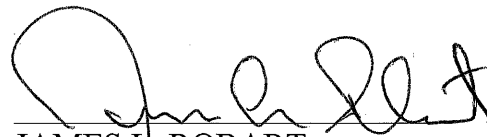
1 matter jurisdiction over this action. The court therefore orders Defendants to serve and
2 file within fourteen (14) days of the date of this order a submission providing the
3 following information:

4 Defendants assert that the court's jurisdiction is based on diversity of citizenship.
5 (*See* Not. of Rem. ¶¶ 6-12 (citing 28 U.S.C. § 1332(a)).) For purposes of assessing
6 diversity jurisdiction, the court must consider the domicile of all members of a limited
7 liability company. *Johnson v. Columbia Props. Anchorage, LP*, 437 F.3d 894, 899 (9th
8 Cir. 2006); *see also* Local Rules W.D. Wash. LCR 8(a). The removal statute is strictly
9 construed against removal jurisdiction, and a removing defendant bears the burden of
10 establishing grounds for federal subject matter jurisdiction in the case. *Cal. ex rel.*
11 *Lockyer v. Dynege, Inc.*, 375 F.3d 831, 838 (9th Cir. 2004).

12 Defendants allege that Brinderson is "a citizen of the State of California within the
13 meaning of 28 U.S.C. § 1332(c)(1) because it is a limited liability company organized
14 under the laws of the State of California, whose principal place of business is also
15 California." (Not. of Rem. ¶ 9.) Defendants explain in their corporate disclosure
16 statement that "Brinderson is a wholly owned subsidiary of Aegion Energy Services, Inc.
17 ("AES"). AES is a wholly owned subsidiary of Aegion Holding Company, LLC
18 ("AHC"). AHC is a wholly owned subsidiary of Aegion Corporation, which is a publicly
19 traded corporation." (CDS at 1.) Defendants, however, fail to allege the domicile of
20 Brinderson's members. (*See id.*; *see also* Not. of Rem. ¶¶ 1-15.) Absent allegations of
21 all of Brinderson's members, the court cannot determine whether Defendants have
22 properly invoked the court's subject matter jurisdiction.

1 Accordingly, the court ORDERS Defendants to SHOW CAUSE why this case
2 should not be dismissed for lack of subject matter jurisdiction. If Defendants fail to
3 provide the court with the information described above within fourteen (14) days of the
4 date of this order, the court will remand this action to state court. Plaintiffs may, but are
5 not required to, respond to the court's order to show cause within the same timeframe.

6 Dated this 19th day of September, 2018.

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8 JAMES L. ROBART
9 United States District Judge
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